

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America v.
 Valentin SARMIENTOS-Santiago
 Saul Armando GARCIA-Montalvo

Case No.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 15, 2021 in the county of Zapata in the
Southern District of Texas, the defendant(s) violated:

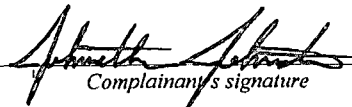
*Code Section**Offense Description*

Title 8 United States Code, Section
 1324

Did knowingly transport and move, conspire with other persons known and unknown to transport and move, and attempt to transport and move within the United States by means of transportation and otherwise, an alien who had come to, entered, remained in the United States in violation of law, in furtherance of such violation, and did transport and move said alien for the purpose of commercial advantage and private financial gain.

This criminal complaint is based on these facts:

See attachment "A".

☒ Continued on the attached sheet.

Complainant's signature

Johnathan Johnston HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 11/15/2021*Judge's signature*City and state: Laredo, Texas

Diana Song Quiroga, U.S. Magistrate Judge

Printed name and title

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[CONT OF BASIS OF COMPLAINT]

I, Johnathan Johnston, declare and state as follows:

1. On November 14, 2021, at approximately 5:30 a.m., Zapata County Sheriff's Office (ZCSO) dispatcher called the Zapata Border Patrol (ZBP) who stated she received a call from a male subject claiming he was in the country illegally and was being held hostage at a unknown location in Zapata, Texas.
2. ZCSO and ZBP responded and upon arriving to the area, a male subject ran from a white trailer, located at the one thousand (1000) block of Juarez Avenue, Zapata, TX stating he was the caller. Deputies located four (4) additional males inside the white trailer. Deputies then went next door to a yellow trailer where they were given consent to enter the house by an adult female who stated she was the homeowner. Deputies located six (6) additional individuals inside and three (3) outside. In total fifteen (15) people were located between the residents.
3. Immigration Inspections done by Border Patrol Agents (BPAs) determined twelve (12) individuals were undocumented non-citizens (UNCs) illegally present in the United States. Six (6) individuals were identified as principals while the other nine (9) were identified as smuggled individuals being held. All subjects were transported to the Zapata Border Patrol station pending investigation.
4. On November 14, 2021, at approximately 21:15 Homeland Security Investigations (HSI), Special Agents (SAs) received information regarding a possible human smuggling event that involved an alleged sexual assault.
5. HSI SAs responded and interviewed three (3) material witnesses: (Mexican) ANDRADE-Dominguez, Juan Manuel, (Honduran) N.G.M., and (Honduran) BOHORQUEZ-Maldonado, Maria Suyapa (BOHORQUEZ). All witnesses admitted to being illegally present within the United States. All material witnesses stated they illegally entered the United States by way of Mexico by crossing the Rio Grande River by wading, swimming or floating. All material witnesses stated arrangements were made with members of a human smuggling organization(s) (HSO) for them to be transported to various cities within the interior of the U.S.
6. All material witnesses stated smuggling fees were paid for them to be smuggled into the United States. Specially, N.G.M. stated the stash house operators told N.G.M would have to pay them an extra \$3,500, not previously agreed on with the original HSO. N.G.M. and BOHORQUEZ identified SARMIENTOS via six-person photo-line-ups as one of the individuals who held them at the location and forced them to package illegal narcotics. N.G.M further identified SARMIENTOS as the individual who allegedly sexually N.G.M at the yellow trailer.
7. SARMIENTOS, a Mexican citizen, previously invoked his right to an attorney during an interview with BP and was not interviewed by HSI.
8. During a post-Miranda interview, Saul Armando GARCIA-Montalvo (GARCIA), a Mexican citizen, was interviewed by HSI SAs. GARCIA stated he was responsible for the UNCs and coordinating their movement. GARCIA stated people in Mexico "forced" him to harbor the UNCs and threatened him with death. GARCIA shared knowledge of five (5) UNCs he harbored for approximately one (1) week. GARCIA further related observing SARMIENTOS lying in bed with two (2) females with the lights off.